CLAIMS

1. (Thrice amended) A method of producing a transgenic plant which shows herbicide resistance, to a herbicide said method comprising:

   (i) applying said herbicide to a population of progenitor plants, in which pollen evidences segregation for a herbicide resistant gene [show segregating resistance to said herbicide in their pollen], such application being at an advanced vegetative state before flowering; wherein the applied herbicide effectively inhibits [the] pollen which does not carrier the herbicide resistant gene [lacking the herbicide resistance] whereby the resultant pollen is preferentially carrying the herbicide resistant gene; such that [during flowering such] resultant pollen from said plants fertilize the female plants [parts with said pollen];

   (ii) obtaining herbicide resistance progeny therefrom as seeds and optionally as plants.

2. A method according to claim 1 wherein the herbicide resistant plants are glyphosate resistant, and the herbicide applied in stage (i) is glyphosate.

3. A method according to claim 1 wherein the plants comprise crop plants.

4. A method according to claim 3 wherein the crop plants comprise corn.

5. A method according to claim 4 wherein in step (i), the herbicide is applied at the V5 stage of growth or later.

6. A method according to claim 1 wherein the progeny comprise herbicide resistant hybrid seed.

7. A method according claim 1 wherein th plants contain a further desired transgene.

8. A method according to claim 7 wherein the further transgene is a gene which encodes a quality trait which is deliverable by a pollinator.

9. A method according to claim 8 wherein the quality trait comprises a high oil system.

10. A method according to claim 7 wherein the transgene is a fertility/sterility controlling gene.

11. A method according according to claim 10 wherein said fertility/sterility controlling gene is a male sterility gene.

Please delete claims 12-20.

21. A method according to claim 1 wherein said progeny comprise seed.

22. A method according to claim 1 wherein said progeny comprise inbred seed.

23. A method according to claim 2 wherein said progeny comprise glyphosate resistant hybrid seed.

Please delete claim 24.

CLAIMS

1. (Thrice amended) A method of producing a transgenic plant which shows herbicide resistance, to a herbicide said method comprising:

   (i) applying said herbicide to a population of progenitor plants, in which pollen evidences segregation for a herbicide resistant gene, such application being at an advanced vegetative state before flowering; wherein the applied herbicide effectively inhibits pollen which does not carrier the herbicide resistant gene whereby the resultant pollen is preferentially carrying the herbicide resistant gene; such that resultant pollen from said plants fertilize the female plants;

   (ii) obtaining herbicide resistance progeny therefrom as seeds and optionally as plants.

C1 SUB D1)

2. A method according to claim 1 wherein the herbicide resistant plants are glyphosate resistant, and the herbicide applied in stage (i) is glyphosate.

3. A method according to claim 1 wherein the plants comprise crop plants.

4. A method according to claim 3 wherein the crop plants comprise corn.

5. A method according to claim 4 wherein in step (i), the herbicide is applied at the V5 stage of growth or later.

6. A method according to claim 1 wherein the progeny comprise herbicide resistant hybrid seed.

7. A method according claim 1 wherein the plants contain a further desired transgene.

8. A method according t claim 7 wher in th further transgene is a gene which encodes a quality trait which is deliverable by a pollinator.

9. A method according to claim 8 wherein the quality trait comprises a high oil system.

10. A method according to claim 7 wherein the transgene is a fertility/sterility controlling gene.

11. A method according according to claim 10 wherein said fertility/sterility controlling gene is a male sterility gene.

21. A method according to claim 1 wherein said progeny comprise seed.

22. A method according to claim 1 wherein said progeny comprise inbred seed.

23. A method according to claim 2 wherein said progeny comprise glyphosate resistant hybrid seed.